

112TH CONGRESS
1ST SESSION

S. 1515

To permit certain members of the United States Secret Service and certain members of the United States Secret Service Uniformed Division who were appointed in 1984, 1985, or 1986 to elect to be covered under the District of Columbia Police and Firefighter Retirement and Disability System in the same manner as members appointed prior to 1984.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 6, 2011

Mr. LIEBERMAN introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To permit certain members of the United States Secret Service and certain members of the United States Secret Service Uniformed Division who were appointed in 1984, 1985, or 1986 to elect to be covered under the District of Columbia Police and Firefighter Retirement and Disability System in the same manner as members appointed prior to 1984.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “United States Secret
5 Service Retirement Act of 2011”.

1 **SEC. 2. AUTHORITY OF CERTAIN MEMBERS OF UNITED**
2 **STATES SECRET SERVICE TO ELECT COV-**
3 **ERAGE UNDER DISTRICT OF COLUMBIA PO-**
4 **LICE AND FIREFIGHTER RETIREMENT SYS-**
5 **TEM.**

6 (a) IN GENERAL.—Subsection (b) of the Policemen
7 and Firemen’s Retirement and Disability Act (sec. 5–703,
8 D.C. Official Code) is amended—

9 (1) by striking “Whenever any member” and
10 inserting “(1) IN GENERAL.—Whenever any mem-
11 ber”; and

12 (2) by adding at the end the following new
13 paragraph:

14 “(2) COVERAGE OF CERTAIN OTHER EMPLOYEES OF
15 SECRET SERVICE.—

16 “(A) IN GENERAL.—Paragraph (1) shall apply
17 with respect to a covered employee in the same man-
18 ner as such paragraph applies to an individual who
19 is authorized to make a transfer of funds under such
20 paragraph, but only if—

21 “(i) not later than 60 days after receiving
22 notification of the transition cost associated
23 with the application of paragraph (1) to the
24 covered employee (as provided under section
25 2(b)(2) of the United States Secret Service Re-
26 tirement Act of 2011), the covered employee

1 provides a notification to the Director of the
2 United States Secret Service containing such
3 information and assurances as the Director may
4 require;

5 “(ii) on or before the date the covered em-
6 ployee provides a notification under clause (i),
7 the employee makes a lump sum payment in an
8 amount equal to the transition cost associated
9 with the application of paragraph (1) to the
10 covered employee, in accordance with section
11 2(c) of the United States Secret Service Retire-
12 ment Act of 2011; and

13 “(iii) the covered employee uses the ac-
14 count of the covered employee in the Thrift
15 Savings Fund as the exclusive source of funds
16 for making the lump sum payment under clause
17 (ii).

18 “(B) ADJUSTMENT TO REFLECT SOCIAL SECU-
19 RITY CONTRIBUTIONS AND BENEFITS.—In the case
20 of a covered employee who authorizes a transfer of
21 funds under paragraph (1), such covered employee
22 shall be subject to the same deductions and shall be
23 entitled to the same benefits as provided for under
24 paragraph (1), subject to offset in accordance with

1 section 103(e) of Public Law 100–238 (5 U.S.C.
2 8334 note).

3 “(C) COVERED EMPLOYEE DEFINED.—In this
4 paragraph, the term ‘covered employee’ means an in-
5 dividual who—

6 “(i) was appointed as an officer or member
7 of the United States Secret Service Division or
8 the United States Secret Service Uniformed Di-
9 vision during 1984, 1985, or 1986;

10 “(ii) has actively performed duties other
11 than clerical for 10 or more years directly re-
12 lated to the protection mission of the United
13 States Secret Service described under section
14 3056 of title 18, United States Code;

15 “(iii) is serving as an officer or member of
16 the United States Secret Service Division or the
17 United States Secret Service Uniformed Divi-
18 sion (or any successor entity) on the date of en-
19 actment of this paragraph; and

20 “(iv) is participating in the Federal Em-
21 ployees’ Retirement System under chapter 84 of
22 title 5, United States Code, on the date of en-
23 actment of this paragraph.”.

24 (b) NOTIFICATIONS.—

1 (1) INITIAL NOTIFICATION BY SECRET SERV-
2 ICE.—Not later than 30 days after the date of the
3 enactment of this Act, the Director of the United
4 States Secret Service shall notify each covered em-
5 ployee that the covered employee may execute an
6 election under this subsection to have paragraph (1)
7 of subsection (b) of the Policemen and Firemen’s
8 Retirement and Disability Act (sec. 5–703, D.C. Of-
9 ficial Code) apply with respect to the covered em-
10 ployee.

11 (2) NOTIFICATION OF TRANSITION COST.—Not
12 later than 15 days after determining the amount of
13 the transition cost associated with the application of
14 paragraph (1) of subsection (b) of the Policemen
15 and Firemen’s Retirement and Disability Act (sec.
16 5–703, D.C. Official Code) to a covered employee (in
17 accordance with subsection (c)), the Director of the
18 United States Secret Service shall notify the covered
19 employee of such transition cost.

20 (c) TRANSITION COST.—

21 (1) DETERMINATION OF AMOUNT.—The transi-
22 tion cost associated with the application of para-
23 graph (1) of subsection (b) of the Policemen and
24 Firemen’s Retirement and Disability Act to a cov-
25 ered employee is the amount by which—

1 (A) the estimated present value of the pay-
2 ments which would be payable by the Federal
3 Government to the District of Columbia with
4 respect to such employee during the 11-fiscal
5 year period beginning with the fiscal year in
6 which this Act is enacted if such paragraph ap-
7 plies with respect to the covered employee, ex-
8 ceeds

9 (B) the estimated present value of the ben-
10 efits which would be payable from the Civil
11 Service Retirement and Disability Fund with
12 respect to such employee during the 11-year pe-
13 riod described in subparagraph (A) if such
14 paragraph does not apply with respect to the
15 covered employee.

16 (2) DETERMINATION.—Not later than 60 days
17 after the date of the enactment of this Act, the Di-
18 rector of the United States Secret Service, in con-
19 sultation with the Director of the Office of Per-
20 sonnel Management and the Mayor of the District of
21 Columbia, shall determine the transition cost with
22 respect to each covered employee, by applying such
23 assumptions and other methodologies as the Direc-
24 tor of the United States Secret Service considers ap-

1 appropriate, consistent with generally accepted actu-
2 arial practices and standards.

3 (3) USE OF DISTRIBUTION FROM THRIFT SAV-
4 INGS PLAN FOR LUMP SUM PAYMENT.—

5 (A) IN GENERAL.—For purposes of mak-
6 ing the lump sum payment required under
7 paragraph (2) of subsection (b) of the Police-
8 men and Firemen’s Retirement and Disability
9 Act, a covered employee shall, subject to section
10 8435 of title 5, United States Code (to the
11 same extent and in the same manner as a with-
12 drawal under section 8433(h) of such title), di-
13 rect the Executive Director appointed under
14 section 8474 of such title to make a single with-
15 drawal from the account of the covered em-
16 ployee in the Thrift Savings Fund in an
17 amount equal to the transition cost associated
18 with the covered employee.

19 (B) TRANSFER TO SECRET SERVICE.—
20 Upon being directed by a covered employee to
21 make a withdrawal under subparagraph (A),
22 the Executive Director shall transfer the
23 amount of the withdrawal to the Director of the
24 United States Secret Service for deposit into
25 the Contributions for Annuity Benefits, United

1 States Secret Service appropriations account of
2 the Department of Homeland Security.

3 (d) DEFINITION.—In subsections (b) and (c), a “cov-
4 ered employee” means an individual described in para-
5 graph (2) of subsection (b) of the Policemen and Fire-
6 men’s Retirement and Disability Act (sec. 5–703, D.C. Of-
7 ficial Code), as added by subsection (a).

8 **SEC. 3. TREATMENT OF REEMPLOYED ANNUITANTS.**

9 Section 8468 of title 5, United States Code, is
10 amended by adding at the end the following:

11 “(k)(1) For purposes of this section, the term ‘cov-
12 ered District of Columbia retiree’ means an individual who
13 is receiving benefits under the Policemen and Firemen’s
14 Retirement and Disability Act—

15 “(A) based in whole or in part on such individ-
16 ual’s service as an officer or member of the United
17 States Secret Service Division or the United States
18 Secret Service Uniformed Division; and

19 “(B) pursuant to an election, made under sub-
20 section (b)(2) of such Act (sec. 5–703, D.C. Official
21 Code), to transfer to that retirement system from
22 the retirement system under this chapter.

23 “(2) If a covered District of Columbia retiree be-
24 comes employed in an appointive or elective position (as
25 referred to in subsection (a)), an amount equal to the re-

1 tirement benefits which are payable under the Policemen
 2 and Firemen's Retirement and Disability Act and allo-
 3 cable to the period of actual employment shall be deducted
 4 from the pay of the reemployed retiree, to the same extent
 5 and in the same manner as if those retirement benefits
 6 were an annuity under this chapter.

7 “(3) The Director of the Office of Personnel Manage-
 8 ment shall prescribe any regulations necessary to carry out
 9 this subsection, including regulations under which an em-
 10 ploying agency shall accept the certification of the appro-
 11 priate official of the government of the District of Colum-
 12 bia regarding the amount of retirement benefits being paid
 13 to a covered District of Columbia retiree for a period dur-
 14 ing which such retiree is employed in the position de-
 15 scribed in paragraph (2).”.

16 **SEC. 4. PAYGO COMPLIANCE.**

17 The budgetary effects of this Act, for the purpose of
 18 complying with the Statutory Pay-As-You-Go Act of 2010,
 19 shall be determined by reference to the latest statement
 20 titled “Budgetary Effects of PAYGO Legislation” for this
 21 Act, submitted for printing in the Congressional Record
 22 by the Chairman of the Senate Budget Committee, pro-
 23 vided that such statement has been submitted prior to the
 24 vote on passage.

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